

**THE INDIANA EMERGENCY RESPONSE COMMISSION
INDIANA EMERGENCY RESPONSE COMMITTEE (IERC) MEETING
Indiana Government Center, Conference Room 1
302 West Washington Street
Indianapolis, Indiana 46204
January 7, 2008, 1:00 P.M.**

WELCOME AND INTRODUCTION

Acting Chairman Bruce Palin welcomed everyone to the meeting and asked for roll call.

ROLL CALL TO ORDER

Mike Bigler—State Government
Brian Lott—Local Government
Jim Pridgen—Industry
Dean Larson—Public

Bruce Palin—State Government
Sherman Greer—Local Government
William Reed—Public

The following Commission members were absent:

Cliff Wojtalewicz—Chairman
Thomas Melville—State Government
Robert Reilly—Industry

Carol Shelby—Public
Bernie Beier—Local Government
Michael Pace—Industry

The following staff members were present:

John Steel—IDHS
Laura Steadham—IDEM

Mara Snyder—IDHS
Ian Ewusi—IDHS

The following were present in the audience:

James Plum—Jefferson County LEPC
William Beranek—Marion County LEPC

Jessica Orr—IDHS Legislative Liaison
Jeff Larmore—Marion County Health

QUORUM

The IERC Council Coordinator indicated that a quorum was present.

CONSIDERATION OF THE MINUTES

Mr. Palin asked for a motion to adopt the minutes of the November 13, 2007, meeting. Motion was made by Mr. Larson and was seconded by Mr. Reed. **MOTION CARRIED.**

REPORT OF THE CHAIR

Mr. Palin announced the resignation of Mr. Beier, the Commission's Local Government Representative and Training Committee chair effective January 7, 2008. Mr. Larson recommended and motioned that Ms. Shelby become chair of the Training Committee and Mr. Lott seconded the motion. **MOTION CARRIED.**

COMMITTEE REPORTS

Communications Committee—Sherman Greer, Chair

Mr. Greer reported that the Communications Committee had not met in the last two months. He indicated that the committee may be considering a project that entails developing and publishing “sheltering-in-place” brochures. This project would allow consistent and appropriate messages to get to the general public about sheltering after natural or manmade disasters. Mr. Greer handed out samples of “shelter-in-place brochures to the Commission members. He indicated that he preferred the brochure in a card format because it had information on the front and a checklist on the back. He discussed the advantages and disadvantages of the sample brochures and asked the Commission to review them and make any recommendations to the committee.

Technical Committee—James Pridgen, Chair

Mr. Pridgen reported that the Technical Committee had not met but was considering planning an off-site retreat either later this spring or in early summer. He asked for input from the Commission for possible locations and dates.

Policy Committee—Dean Larson, Chair

Mr. Larson reported that the Policy Committee had met that morning to review the policy manual. He indicated that the committee had considered several recommendations and input from all the IERC committees. He noted the inconsistencies between the hard-copy policy manual and the online version, as well as the committee’s commitment to restoring conformity. The following recommendations were made:

- Revise and replace the master copy online.
 - Rename the policy manual “Handbook for the IERC, LEPCs and Reporting Facilities.”
- Additionally, he reported that the committee had eliminated approximately half of the contents of the existing policy manual because they were either unnecessary or available via the IERC website (posted directly or accessible by links to other websites). The next status meeting was scheduled as a conference call on February 25, 2008.

Training Committee—Bernie Beier

The committee had nothing to report.

Fiscal Committee—Bruce Palin

Mr. Palin reported that the committee had nothing to report.

Mr. Ewusi requested the purchase of a new vehicle for field use. He indicated that the new vehicle would replace his current one which had accumulated over 130,000 miles. He also reported that he had discussed the request at an earlier meeting with the IERC proxy chair, who suggested that it be brought up at this meeting. Mr. Larson made a motion that a vehicle be purchased in accordance with state rules to replace Mr. Ewusi’s current vehicle; Mr. Pridgen seconded.

MOTION CARRIED.

Proxy Chair Palin called for a motion to approve all committee reports, which was moved by Mr. Larson and seconded by Mr. Greer. **MOTION CARRIED.**

OLD BUSINESS

Ms. Snyder reported on the following Ethics issues and concerns:

Issues

- Specific training for LEPCs as to special state appointees because the current training offered is too specific to state employees
- Perception that special state appointees are treated as state employees
- Timeline for LEPCs to receive ethics training

Responses

- No specific training is currently available for special state appointees and no one will be sent out to provide training for LEPCs.
- The Ethics Commission is in the process of “rolling out” an online training program where special state appointees may complete the required ethics training.
- The anticipated timeline to institute this program is between 18 and 24 months.
- All ethics inquiries can be made by going to the Ethics Commission website. Specific questions can be posted at the website in the designated “question box.”
- The Ethics Commission has requested a list of all LEPC members with telephone numbers and email addresses where possible. Passwords will be issued to each LEPC member for online People Soft access.
- The Ethics Commission would manage the ethics trainees and training program.
- It is recommended that a notice be sent to LEPC members reminding them to comply with the ethics laws, especially when performing LEPC duties.

Ms. Snyder inquired as to whether or not all LEPC members could be reached with the information above. Mr. Ewusi indicated that he could reach all of the LEPC chairs and that hopefully they could disseminate the information to the LEPC members.

NEW BUSINESS

Ms. Orr, the Legislative Liaison for IDHS, provided an update on IDHS’s legislative agenda. She reported that there were some initiatives that IDHS wanted to have enacted this session, but that they had to scale back on the language and include all initiatives into one bill due to the state’s priority with property tax legislation. She indicated that the part of the bill of interest to the IERC concerned the Right-to-Know funds for Hazmat personnel, which entailed the use of these funds to maintain and/or calibrate equipment purchased by LEPCs. Additionally, the bill included a state disaster relief fund, which included public assistance, rentals and reimbursements to state and local agencies during a declared emergency. Ms. Orr stated that the hearings would occur in January and that there would be 2 full committee days to hear the bills and 2 opportunities to hear the bills. She indicated that the sessions would be short and fast and that the property tax bill would be a priority. She said she would keep Mara Snyder posted as to the progress of this bill.

John Steel reported on the implementation of a new online LEPC reporting system for compliance reporting which would further reduce the amount of paperwork generated by the LEPCs. He indicated that each LEPC would be assigned a user name and password to access the online system in order to submit compliance reports such as legal notices, rosters, and plan updates, thus eliminating the process of mailing/emailing their reports.

In so doing, Mr. Steel and Mr. Ewusi could easily and routinely check on the compliance status/progress of each LEPC.

Mr. Ewusi reported that some of the reporting forms are electronically available and that LEPCs must download and fill them out and either email them back or mail them through the post office. He indicated that the process described by Mr. Steel would further refine and streamline the process.

Ms. Snyder asked about public requests for information, and Mr. Ewusi indicated that the information submitted by the LEPCs could be easily printed and made available upon request.

REPORT OF THE FIELD COORDINATOR

Mr. Ewusi provided a summary of the 2007 field activities and stated that working in the field on a full-time basis really helps in the management of the LEPCs. He indicated that at a moment's notice, he could schedule a workshop and provide technical/training services to response agencies. On LEPC compliance, he reported that 74 LEPCs had received funding totaling about \$615,000, and that he expects the number of compliant LEPCs to increase this year. Mr. Ewusi reported that he had reviewed over half of the LEPC plans submitted to the IERC. Additionally, the number of LEPC applicants for the HMEP grant program had increased from 24 to 33, for approximately \$280,000. Mr. Ewusi also reported that he had attended 30 LEPC meetings. He reported that Sullivan and Starke County LEPCs, which had been non-compliant for over 5 years, had started the process of becoming compliant. Mr. Ewusi also indicated that he had been working with EPA to release the first national CAMEO program that is specifically designed for LEPC plan writing. He explained that the program was essentially the current CAMEO program without the extraneous information. Under miscellaneous items, he reported that an issue with LaPorte County concerning inappropriate LEPC expenditure had been resolved equitably.

MEMBERSHIP ROSTER APPROVALS

No new roster submissions for approval.

LEPC COMMENTS

Jim Plum from the Jefferson County LEPC discussed the status of the HMEP grants, and asked when the 2006 HMEP grant money would be released. He noted that in March 2007, he received the sub-grant agreement which was promptly pulled to be rewritten. He also noted that it was January 2008, and he had not yet received the allocated 2006 grant funds. Mr. Plum wanted to know if there were any problems with the funding program and if any other LEPCs were experiencing the same delays. He was concerned that the process was moving too slowly and that his LEPC needed the funds since they were not funded by their county.

Bill Beranek, Marion County LEPC chair, reported that he had the same issue with respect to delay in reimbursement through the HMEP grant. Mr. Beranek also brought up the topic of ethics training and how it pertained to the LEPCs, and wanted to know why he had not received any response from the IERC on questions/concerns sent at the end of the year. He noted his shared concerns about LEPC members designated as special state appointees being treated the same as full-time state employees. As he understood it, the ethics codes address full-time state employees who perform services outside the state arena for compensation (and that here the law makes sense) but not for LEPC members who volunteer and work outside the LEPC arena. Mr. Beranek expressed his

concern that the state was not looking at these problems from an LEPC perspective. Mr. Beranek discussed getting together several different LEPC members, compiling a list of questions, and submitting them directly to the Ethics Commission for answers.

Ms. Snyder suggested that they put their questions and examples together and directly approach the executive director of the state Ethics Commission.

EPA COMMENTS

None

PUBLIC COMMENTS

None

NEXT MEETING

Monday, March 10, 2008, 1:00 P.M.
Indiana Government Center South, Conference Room 1

ADJOURNMENT

Meeting was adjourned at 2:40 P.M.

SIGNED

Bruce Palin, Acting Chair